

## **REMARKS**

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1, 33, and 56 are amended herein.
- Claims 18 and 43 are canceled herein.
- Claims 1, 4-17, 19-31, 33, 36-42, 44-54, 56, and 57 remain pending after entry of this amendment.

Support for the amendments to claims 1, 33, and 56 is found in the specification, as originally filed, at least at page 16, lines 3-16, at page 22, lines 7-12, and in FIG. 1. The amendments submitted herein do not introduce any new matter.

## **Claim Objections**

Claim 56 stands objected to as including a typographical error. Applicant thanks the Examiner for pointing out the typographical error and amends claim 56 to correct that error, obviating the objection.

## **Cited Documents**

The following documents have been applied to reject one or more claims of the Application:

- **Tsiegg:** Tsiegg et al., U.S. Patent Application Publication No. 2005/0192963
- **Richman:** Richman, Ira S., U.S. Patent No. 6,754,874

## **Tschiegg Fails to Anticipate Claims 1, 4-23, 27-31, 33, 36-48, 50-54, 56, and 57**

Claims 1, 4-23, 27-31, 33, 36-48, 50-54, 56, and 57 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Tschiegg. Applicant respectfully requests reconsideration in light of the amendments presented herein.

### **Independent Claim 1**

Claim 1, as amended herein, recites, in part (with amendments shown underlined):

...receiving survey information originating from an individual serving a first role pertaining to an aspect of an organizational entity, the survey information including at least one recommendation, wherein the individual serving the first role is a field consultant who serves the role of inspecting the organizational entity to determine whether the organizational entity satisfies a defined criterion;

...

responsive to receiving the survey information, automatically sending the survey information to an individual serving a second role;

receiving, via a user interface, first recommendation information originating from the individual serving the second role, the first recommendation information being provided responsive to the survey information;

...

responsive to receiving the first recommendation information, automatically notifying an individual serving a third role of the first recommendation information;

receiving, via the user interface, second recommendation information originating from the individual serving the third role, the

second recommendation information being provided responsive to the first recommendation information...

In rejecting claim 1, the Examiner cites paragraph [0021] of Tschiegg as disclosing the receiving of the first and second recommendation information. That passage describes different users sharing recommendations based on differing authority levels. The Examiner equates this sharing to users with different roles sharing recommendations. Also, the Examiner cites paragraph [0012] of Tschiegg as disclosing “the second recommendation information being based on the first recommendation information.” That passage of Tschiegg described filtering of risk management information by survey report.

While Applicant continues to disagree with the Examiner, Applicant has nonetheless further amended claim 1 to advance prosecution. Claim 1 now recites “responsive to receiving the survey information, automatically sending the survey information to an individual serving a second role” and “responsive to receiving the first recommendation information, automatically notifying an individual serving a third role of the first recommendation information.” Nothing in Tschiegg appears to disclose to automatic sending of survey information responsive to its reception, or the automatic notify of an individual serving a third role of the first recommendation information responsive to the reception of that first recommendation information. Rather, the sharing of recommendations described in Tschiegg makes no mention of any user being notified of a recommendation, much less being notified responsive to that recommendation being received. Instead, Tschiegg seems to describe a repository of recommendations that may be accessed at any time by a plurality of users.

Also, claim 1 has been amended to recite that the “second recommendation information” is “***provided responsive to*** the first recommendation information” (emphasis added). Nothing in Tschiegg appears to disclose one recommendation being provided responsive to another recommendation. Instead, Tschiegg simply describes a number of independently entered recommendations that may be accessed by a number of users based on authority levels of the users. Not one of these recommendations is mentioned as being provided responsive to another.

For at least the reasons presented herein, Tschiegg does not disclose all of the features of claim 1. Accordingly, Applicant submits that Tschiegg does not anticipate claim 1, and respectfully requests that the Office withdraw the 102 rejection of claim 1.

#### *Independent Claims 33 and 56*

Claims 33 and 56 are patentable over Tschiegg at least for reasons similar to those discussed above with regard to claim 1.

#### *Dependent Claims 4-23, 27-31, 36-48, 50-54, and 57*

Claims 18 and 43 are canceled, obviating their rejections.

Claims 4-17, 19-23, 27-31, 36-42, 44-48, 50-54, and 57 each ultimately depend from one of independent claims 1, 33, and 56. As discussed above, claims 1, 33, and 56 are not anticipated by Tschiegg, and are therefore allowable over the cited document. Therefore, claims 4-17, 19-23, 27-31, 36-42, 44-48, 50-54, and 57 are also

allowable over the cited document of record for at least their dependency from an allowable base claim, and also for the additional features that each recites.

For example, claim 10 recites “sequentially providing a recommendation response report to the individual serving the second role and then to the individual serving the third role via the user interface.” Nothing in Tschiegg appears to disclose the sequential providing of a recommendation response report. In rejecting claim 10, the Examiner cites paragraph [0162], which mentions interactive editing of reports, and paragraph [0021], which describes the sharing of recommendations by users. Applicant respectfully submits that neither of these passages explicitly describes or inherently requires *sequential* providing of a report. Rather, as is well known in the art, editing of a document or access of a document may occur between multiple users concurrently; there is no need for the document to be provided in any sequence. Thus, Tschiegg simply does not disclose, expressly or inherently, the recitations of claim 10.

### **Richman Fails to Anticipate Claims 1 and 33**

Claims 1 and 33 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Richman. Applicant respectfully traverses the rejection.

#### **Independent Claim 1**

Claim 1 recites, in part (with emphasis added):

...receiving survey information originating from an individual serving a first role pertaining to an aspect of an organizational entity, the survey information including at least one recommendation, ***wherein the individual serving the first role is a field consultant who serves the***

***role of inspecting the organizational entity to determine whether the organizational entity satisfies a defined criterion...***

In rejecting claim 1, the Examiner cites Richman as disclosing “receiving survey information originating from an individual serving a first role pertaining to an aspect of an organizational entity, the survey information including at least one recommendation,” but fails to point to any part of Richman as disclosing, teaching, or suggesting “wherein the individual serving the first role is a field consultant who serves the role of inspecting the organizational entity to determine whether the organizational entity satisfies a defined criterion,” which was added to claim 1 in the amendment filed on July 28, 2010 (see page 20 of the current rejection for support for this assertion). Applicant respectfully requests that the Examiner address these recitations.

As Applicant submitted in the remarks accompanying the July 28, 2010 amendment, Richman includes no disclosure of an “individual serving the first role is a field consultant who serves the role of inspecting the organizational entity to determine whether the organizational entity satisfies a defined criterion.” Rather, Richman describes an electronic form that is used to evaluate an employee (Abstract). The employee enters a self-evaluation and submits the form (Fig. 3). A supervisor then enters review information in the form and submits it (*Id.*). Lastly, a second level supervisor checks the adequacy of the review and submits the form, which is subsequently provided to the employee (*Id.*).

Even if one were to assume for the sake of argument that the survey information and recommendation information read on the self-evaluation and evaluations (a point with which Applicant disagrees), Richman still does not disclose that the employee is a

field consultant who is inspecting an organizational entity. Richman makes no mention of such a field consultant and in no way expressly requires that the employee be one. Thus, Richman simply does not disclose the amended recitations of claim 1.

For at least the reasons presented herein, Richman does not disclose all of the features of claim 1. Accordingly, Applicant submits that Richman does not anticipate claim 1, and respectfully requests that the Office withdraw the 102 rejection of claim 1.

### *Independent Claim 33*

Claim 33 is patentable over Richman at least for reasons similar to those discussed above with regard to claim 1.

### **Claims 24-26 and 49 are Non-Obvious Over Richman**

Claims 24-26 and 49 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Richman. Applicant respectfully traverses the rejection.

Claims 24-26 and 49 each ultimately depend from one of independent claims 1 and 33. As discussed above, claims 1 and 33 are allowable over the cited document. Therefore, claims 24-26 and 49 are also allowable over the cited document of record for at least their dependency from an allowable base claim, and also for the additional features that each recites.

Accordingly, Applicant respectfully requests that the Office withdraw the 103 rejection of claims 24-26 and 49.

## **Conclusion**

For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application.

If any issues remain that would prevent allowance of this application, **Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.**

Respectfully Submitted,

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